

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS
(Jointly Administered)

IN RE:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO SALES TAX FINANCING
CORPORATION,

Debtor.

PROMESA
Title III

No. 17 BK 3284-LTS

This filing relates to COFINA only.

ORDER GRANTING IN PART THE URGENT MOTION OF THE BANK OF NEW YORK MELLON, AS TRUSTEE, FOR EXPEDITED CONSIDERATION OF THE MOTION OF WHITEBOX MULTI-STRATEGY PARTNERS, L.P. AND CERTAIN OF ITS AFFILIATES FOR RECONSIDERATION OF THE COURT'S ORDER PRECLUDING THE CROSS-EXAMINATION OF CERTAIN WITNESSES OR, ALTERNATIVELY,
(II) CLARIFICATION THAT BNYM IS ENTITLED TO WITHHOLD
WHITEBOX'S DISTRIBUTIONS PENDING A DETERMINATION OF THE 19.5 DISPUTE

¹ The Debtors in these title III cases, along with each Debtor's respective title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747).

The Court has received and reviewed the *Urgent Motion of The Bank of New York Mellon, as Trustee, for (I) Expedited Consideration of the Motion of Whitebox Multi-Strategy Partners, L.P. and Certain of its Affiliates for Reconsideration of the Court's Order Precluding the Cross-Examination of Certain Witnesses or, Alternatively, (II) Clarification that BNYM is Entitled to Withhold Whitebox's Distributions Pending a Determination of the 19.5 Dispute* (the “Urgent Motion”), as well as the objection (Docket Entry No. 567 in Case No. 17-3284) to the Urgent Motion filed by Whitebox Multi-Strategy Partners, L.P. and certain of its affiliates (collectively, “Whitebox”). IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Urgent Motion is GRANTED as set forth herein.
2. Any objections or responses to the Reconsideration Motion² must be filed and served (in accordance with the Case Management Procedures) no later than **12:00 p.m. (Atlantic Standard Time) on February 7, 2019** (the “General Objection Deadline”). Any reply thereto must be filed and served no later than **2:00 p.m. (Atlantic Standard Time) on February 7, 2019**.
3. The Reconsideration Motion will be deemed fully briefed and taken on submission, without hearing, upon expiration of such briefing schedule.
4. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
5. The Court retains jurisdiction over any disputes relating to the interpretation or implementation of this Order.

Dated: February 6, 2019

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

² Capitalized terms used but not defined in this Order have the meanings given in the Urgent Motion.